1999. This act forbids the federal government from establishing any national ID cards or establishing any identifiers for the purpose of investigating, monitoring, overseeing, or regulating private transactions between American citizens. This legislation also explicitly repeals those sections of the 1996 Immigration Act that established federal standards for state drivers' licenses and those sections of the Health Insurance Portability and Accountability Act of 1996 that require the Department of Health and Human Services to establish a uniform standard health identifier.

The Freedom and Privacy Restoration Act halts the greatest threat to liberty today: the growth of the surveillance state. Unless Congress stops authorizing the federal bureaucracy to stamp and number the American people federal officials will soon have the power to arbitrarily prevent citizens from opening a bank account, getting a job, traveling, or even seeking medical treatment unless their ''papers are in order!''

In addition to forbidding the federal government from creating national identifiers, this legislation forbids the federal government from blackmailing states into adopting uniform standard identifiers by withholding federal funds. One of the most onerous practices of Congress is the use of federal funds illegitimately taken from the American people to bribe states into obeying federal dictates.

Perhaps the most important part of the Freedom and Privacy Restoration Act is the section prohibiting the use of the Social Security number as an identifier. Although it has not received as much attention as some of the other abuses this legislation addresses, the abuse of the Social Security number may pose an even more immediate threat to American liberty. For all intents and purposes, the Social Security number is already a national identification number. Today, in the majority of states, no American can get a job, open a bank account, get a drivers' license, or even receive a birth certificate for one's child without presenting their Social Security number. So widespread has the use of the Social Security number become that a member of my staff had to produce a Social Security number in order to get a fishing license! Even members of Congress must produce a Social Security number in order to vote on legislation.

One of the most disturbing abuses of the Social Security number is the congressionally-authorized rule forcing parents to get a Social Security number for their newborn children in order to claim them as dependents. Forcing parents to register their children with the state is more like something out of the nightmares of George Orwell than the dreams of a free republic which inspired this nation's founders.

Since the creation of the Social Security number in 1935, there have been almost 40 congressionally-authorized uses of the Social Security number as an identification number for non-Social Security programs! Many of these uses, such as the requirement that employers report the Social Security number of new employees to the ''new hires data base,'' have been enacted in the past few years. In fact, just last year, 210 members of Congress voted to allow states to force citizens to produce a Social Security number before they could exercise their right to vote.

Mr. Speaker, the section of this bill prohibiting the federal government from using identifiers to monitor private transactions is necessary to stop schemes such as the attempt to assign every American a ''unique health identifier'' for every American—an identifier which could be used to create a national database containing the medical history of all Americans. As an OB/GYN with more than 30 years in private practice, I know well the importance of preserving the sanctity of the physician-patient relationship. Oftentimes, effective treatment depends on a patient's ability to place absolute trust in his or her doctor. What will happen to that trust when patients know that any and all information given to their doctor will be placed in a government accessible data base?

A more recent assault on privacy is a regulation proposed jointly by the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, the Office of Thrift Supervision, and the Federal Reserve, known as ''Know Your Customer.'' If this regulation takes effect in April 2000, financial institutions will be required not only to identify their customers but also their source of funds for all transactions, establish a ''profile'' and determine if the transaction is ''normal and expected.'' If a transaction does not fit the profile, banks would have to report the transaction to government regulators as ''suspicious.'' The unfunded mandate on financial institutions will be passed on to customers who would have to pay higher ATM and other fees and higher interest rates on loans for the privilege of being spied on by government-inspired tellers.

Many of my colleagues will claim that the federal government needs these powers to protect against fraud or some other criminal activities. However, monitoring the transactions of every American in order to catch those few who are involved in some sort of illegal activity turns one of the great bulwarks of our liberty, the presumption of innocence, on its head. The federal government has no right to treat all Americans as criminals by spying on their relationship with their doctors, employers, or bankers. In act, criminal law enforcement is reserved to the state and local governments by the Constitution's Tenth Amendment.

Other members of Congress will claim that the federal government needs the power to monitor Americans in order to allow the government to operate more efficiently. I would remind my colleagues that in a constitutional republic the people are never asked to sacrifice their liberties to make the job of government officials a little bit easier. We are here to protect the freedom of the American people, not to make privacy invasion more efficient.

Mr. Speaker, while I do not question the sincerity of those members who suggest that Congress can ensure citizens' rights are protected through legislation restricting access to personal information, the fact is the only solution is to forbid the federal government from using national identifiers. Legislative ''privacy protections'' are inadequate to protect the liberty of Americans for several reasons. First, federal laws have not stopped unscrupulous government officials from accessing personal information. Did laws stop the permanent violation of privacy by the IRS, or the FBI abuses by the Clinton and Nixon administrations?

Secondly, the federal government has been creating property interests in private information for certain state-favored third parties. For example, a little-noticed provision in the Patient Protection Act established a property right for insurance companies to access personal health care information. Congress also authorized private individuals to receive personal information from government data bases in last year's copyright bill. The Clinton Administration has even endorsed allowing law enforcement officials' access to health care information, in complete disregard of the fifth amendment. Obviously, ''private protection'' laws have proven greatly inadequate to protect personal information when the government is the one providing or seeking the information!

The primary reason why any action short of the repeal of laws authorizing privacy violation is insufficient is because the federal government lacks constitutional authority to force citizens to adopt a universal identifier for health care, employment, or any other reason. Any federal action that oversteps constitutional limitations violates liberty because it ratifies the principle that the federal government, not the Constitution, is the ultimate judge of its own jurisdiction over the people. The only effective protection of the rights of citizens is for Congress to follow Thomas Jefferson's advice and ''bind (the federal government) down with the chains of the Constitution.''

Mr. Speaker, those members who are unpersuaded by the moral and constitutional reasons for embracing the Freedom and Privacy Restoration Act should consider the overwhelming opposition of the American people toward national identifiers. My office has been inundated with calls from around the country protesting the movement toward a national ID card and encouraging my efforts to thwart this scheme. I have also received numerous complaints from Texans upset that they have to produce a Social Security number in order to receive a state drivers' license. Clearly, the American people want Congress to stop invading their privacy. Congress risks provoking a voter backlash if we fail to halt the growth of the surveillance state.

In conclusion, Mr. Speaker, I once again call on my colleagues to join me in putting an end to the federal government's unconstitutional use of national identifiers to monitor the actions of private citizens. National identifiers are incompatible with a limited, constitutional government. I therefore, hope my colleagues will join my efforts to protect the freedom of their constituents by supporting the Freedom and Privacy Restoration Act of 1999.

STEP FORWARD AGAIN TO PROTECT OLD GLORY: COSPONSOR THE FLAG PROTECTION AMENDMENT

HON. JOHN E. SWEENEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 1999

Mr. SWEENEY. Mr. Speaker, on the opening day of the 106th Congress, I respectfully request that all of my colleagues contact Congressman DUKE CUNNINGHAM'S office to cosponsor the Flag Protection Amendment.

For more than 100 years, Americans have crafted laws to protect the American flag from physical desecration—until 1989, when on a 5–4 vote the Supreme Court denied them that right to protect the eternal symbol of freedom and democracy.

Across our country, our citizens have voiced loud and clear that Congress must enact the constitutional amendment that restores that right to protect the flag. 82% of Americans support it, 49 states have passed resolutions calling for it, 310 House Members responded in the 105th Congress to pass it, and 61 Senators cosponsored the Senate bill that came just a few votes shy of restoring the power to protect the flag that has been denied for the past nine years.

The 106th Congress must follow through and make the Flag Protection Amendment a reality.

PROTECT CALIFORNIA'S COASTLINE WITH A MORATORIUM ON OIL AND GAS DEVELOPMENT

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 1999

Mr. CUNNINGHAM. Mr. Speaker, I rise today to introduce legislation to extend the moratorium on oil and gas development in the Outer Continental Shelf (OCS) off the coast of California. This legislation is similar to H.R. 133 from the 105th Congress.

Californians strongly favor continuing this moratorium. The State of California has enacted a permanent ban on all new offshore oil development in state coastal waters. In addition, former Governor Pete Wilson, Governor Gray Davis, and state and local community leaders up and down California's coast have endorsed the continuation of this moratorium.

I believe that the environmental sensitivities along the entire California coastline make the region an inappropriate place to drill for oil using current technology. A 1989 National Academy of Sciences (NAS) study confirmed that new exploration and drilling on existing leases and on undeveloped leases in the same area would be detrimental to the environment. Cultivation of oil and gas off the coast of California could have a negative impact on California's $27 billion a year tourism and fishing industries.

This legislation focuses on the entire state of California, and would prohibit the sale of new offshore leases in the Southern California, Central California, and Northern California planning areas through the year 2009. New exploration and drilling on existing active leases and on undeveloped leases in the same areas would be prohibited until the environmental concerns raised by the 1989 National Academy of Sciences study are addressed, resolved and approved by an independent scientific peer review. This measure ensures that there will be no drilling or exploration along the California coast unless the most knowledgeable scientists inform us that it is absolutely safe to do so.

I am proud to be working to protect the beaches, tourism, and the will of the people of California. I ask my colleagues to join me in co-sponsoring this legislation.

TRIBUTE TO JUDGE SCANLAN

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 1999

Mr. GREEN of Texas. Mr. Speaker, I ask all of my colleagues in Congress to join me in paying tribute to an outstanding individual, Judge James ''Jim'' Scanlan. Judge Scanlan recently retired after serving Harris County residents for 21 years on the Probate Court No. 3 bench.

Judge Scanlan, a native of Dallas, landed in Houston after he got out of the Coast Guard in Galveston and could not afford to make it all the way back to Dallas. He worked as an elevator repairman while he earned a bachelor's degree and a law degree at the University of Houston. He decided to run for the Probate Court No. 3 while he was working for the Probate Court No. 2. Judge Scanlon won that first election and has not faced any opposition since.

While the majority of Jim's time was spent hearing cases on wills, guardianships, and estates, Judge Scanlon also spent two days a week for the last twenty one years hearing cases dealing with people with psychiatric problems. He recalled many humorous situations, such as the time there were two people scheduled on the docket—both claiming to be Jesus Christ. But his guiding principle and reason for his success is that he treats everyone gently and with respect.

There have been so many changes in the way society deals with mental illness since Judge Scanlon first started hearing cases. While he marvels at the improvements in medicine, he is most proud of the ''miracle that happened'' when Harris County replaced the old psychiatric hospital with the Harris County Psychiatric Hospital. That change signaled a real sense of responsibility that people with mental illness need and deserve quality medical care.

Judge Scanlon's decision to retire is definitely a blow to the Harris County community. His 21 years of dedicated service will leave a legacy for future judges. Those people who have found themselves before Judge Scanlon are very fortunate to have benefited from his dedication and understanding of the law.

Mr. Speaker, please join me in thanking Judge Scanlon for his service to Harris County. Those of us who know Judge Scanlon are truly grateful for his leadership and wish him well in all his future endeavors.

INTRODUCTION OF BILL TO EXTEND THE AVIATION WAR RISK INSURANCE PROGRAM

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 1999

Mr. SHUSTER. Mr. Speaker, the War Risk Insurance Program has operated successfully for over 45 years. Last year, the program was extended to March 31, 1999. This bill would reauthorize the program for another four and a half years.

Airline insurance is essential to any airline operation. However, commercial insurance companies will often not insure flights to high risk areas, such as countries at war or on the verge of war.

In many cases, flights into these dangerous situations are required to further the United States' foreign policy or national security policy. For example, in Operation Desert Shield and Desert Storm, commercial airlines were needed to ferry troops and equipment to the Middle East. Commercial airlines would not have flown these flights without the insurance provided through the War Risk Program.

I intend to act promptly on this bill so as to guarantee that the War Risk Insurance Program does not expire.

INTRODUCTION OF DECLARATION OF OFFICIAL LANGUAGE ACT

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 1999

Mr. STUMP. Mr. Speaker, today I am reintroducing my Declaration of Official Language Act, a bill I introduced in the last Congress. This legislation establishes English as the official language of government, requires that naturalization ceremonies be conducted solely in English, repeals the federal bilingual education requirements and repeals bilingual voting requirements.

My own State of Arizona is a crossroads for people of all sorts of backgrounds. I am reminded every day that America, like Arizona, has been enriched by the contributions of people from all over the world. This unified nation of immigrants has been made possible because we have a common national tongue—the English language. We only need to look to the nation to our north, Canada, to realize that a common language is not to be taken for granted.

Yet, Mr. Speaker, I would argue that we have not only taken this great gift for granted, but that our government has actively worked to undermine it. Voting ballots, welfare applications and all types of official government documents are now issued in languages other than English.

Recently, USA Today reported that eight immigrants have filed suit in Miami against English requirement for U.S. citizenship. A federal judge may now be able to strike down our long-standing requirement that prospective new citizens must demonstrate a minimum command of the English language. Elderly immigrants are already exempt from this fairly basic standard. This suit was brought because U.S. citizenship is required for full access to certain federal benefits. The attorney who filed the complaint will no doubt argue that since so many government services are already provided in languages other than English, an English requirement for citizenship is unnecessary.

I am not surprised that this case has been filed, only that it was not filed many years earlier. U.S. citizenship was something that immigrants took justifiable pride in earning. They carried their English workbooks with them everywhere. The Clinton Administration's 1995–96 Citizenship USA program effectively waived English requirements in an attempt to naturalize many more voters for the presidential ticket.